

# City Council Agenda

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Council President

**Mike Dages**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun**  
**Jerry Duncan**  
City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E.**  
**Klisch, CMC**

**Henry T. Perea**  
**Cynthia Sterling**  
**Larry Westerlund**  
City Attorney  
**Hilda Cantú Montoy**

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The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**February 1, 2005**

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. – 4:30 p.m. and Channel 14 beginning at 8:30 p.m.

## **8:30 A.M. ROLL CALL**

Invocation by Pastor Tom Sims of the Baptist Temple Church

Pledge of Allegiance to the Flag

## **Ceremonial Presentations:**

Presentation of SPCA Pet of the Month – Councilmember Boyajian

Proclamation of "NATIONAL BLACK HIV/AIDS AWARENESS AND INFORMATION DAY" – Councilmember Sterling

***Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.***

***The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.***

***Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.***

Approve minutes of January 25, 2005

**Action Taken:**

Councilmembers Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **GENERAL CONSENT CALENDAR**

*(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.)*

- A. **RESOLUTION** – Approving the submission of an application for grant funds from the Bicycle Transportation Account and appropriating matching funds – Public Works Dept.  
**Action Taken:**
- B. \* **RESOLUTION** - (1) Approving Cooperative Agreement No. 06-1268 with the California Department of Transportation for Freeway 180 West from the Hughes/West Diagonal to Marks Avenue and (2) authorizing the Public Works Director or his designee to sign the agreement on behalf of the City of Fresno – Public Works Dept.  
**Action Taken:**
- C. \* Approve the agreement for purchase and sale of real estate and escrow instructions for the sale of 17 +/- acres of City-owned land at the southwest corner of Herndon and Brawley Avenues – Public Works Dept.  
**Action Taken:**
- D. \* Approve a sale of an abandoned City Water Well Site, Pump Station No. 216, APN 426-121-17T, located between 342 W. Holland Avenue and 420 W. Holland Avenue – Public Works Dept.  
**Action Taken:**
- E. \* Approve the acquisition of a street easement from APN 433-060-11 at 3206 N. Brawley Avenue for the extension of a sanitary sewer line – Public Works Dept.  
**Action Taken:**
- F. \* Approve an agreement between the Airports Department and GCR & Associates, Inc. in the amount of \$180,750 for the purchase of a Property and Revenue Management System – Airports Dept.  
**Action Taken:**
- G. Approve Amendment No. 1 to the Consulting Services Agreement with CSHQA for the design of the next phase of terminal improvements at Fresno Yosemite International Airports (FYI) – Airports Dept.  
**Action Taken:**
- H. \* **BILL NO. B-6 – (Intro. 1/25/05) (For adoption)** – Adopting changes and additions to the official list of speed zones designating speed limits for various streets within the City of Fresno pursuant to Fresno Municipal Code (FMC) Section 10-1601 – Public Works Dept.  
**Action Taken:**

2. **GENERAL ADMINISTRATION**

- A. \* Adoption of the Emergency Operations Plan (EOP) and the Fresno Municipal Code (FMC) Article 27, Emergency Services Ordinance – Fire Dept.

**Action Taken:**

1. **BILL - (For introduction)** – Amend Fresno Municipal Code (FMC) relating to Emergency Services

**Action Taken:**

- B. Request to reconsider the Council action taken on December 21, 2004, relating to Granite Park – Councilmember Boyajian

**Action Taken:**

1. Consider rescinding Resolution No. 2004-479 - Approving an Economic Development Agreement between the City of Fresno and the Zone Sports Center, LLC, and the Granite Park Kid's Foundation relating to forty-two (42) acre retail complex and adjacent sports field; and approving the primary terms of a contingent purchase agreement between the City of Fresno and Bank of the West, relating to the sports field; authorizing the execution and delivery of the agreements and documents and taking of all necessary action relating to the transactions

**Action Taken:**

- C. Approving a Contingent Debt Purchase Agreement between the City of Fresno and Bank of the West

**Action Taken:**

1. \* **RESOLUTION** - Amending Resolution No. 2004-479, and approving a Contingent Debt Purchase Agreement between the City of Fresno and Bank of the West that is a condition to a \$5,200,000 Loan from Bank of the West to the Granite Park Kid's Foundation, a 501(c)(3), which loan will be secured by a Deed of Trust on approximately 20-acres of Developed Sports Fields, and authorizing the execution and delivery of the agreement, and documents, and taking all necessary action relating to the transactions, subject to the concurrent execution of the Economic Development Agreement between the City of Fresno and the Zone Sports Center, LLC, and the Granite Park Kid's Foundation relating to the Sports Fields and an adjacent retail complex property

**Action Taken:**

3. **CITY COUNCIL**

- A. **RESOLUTION** – Opposing President Bush's 2006 budget proposal greatly reducing CDBG funding in the City of Fresno – Councilmember Perea

**Action Taken:**

- B. Direction to staff to prepare a resolution initiating an amendment to the Butler/Willow specific plan to consider removal of Peach-Butler Traffic Diverter – Council President Dages

**Action Taken:**

- C. Approve committee recommendation for appointment to the Chaffee Zoo Non-Profit Board – Councilmember Boyajian

**Action Taken:**

- D. Direct the Economic Development Dept. to prepare marketing plans: (Councilmembers Sterling and Westerlund)

1. Direct the Economic Development Department to draft and complete a marketing plan for Roeding Business Park and to return to Council with said plan on or before March 1, 2005 –

**Action Taken:**

2. Direct the Economic Development Department to draft and complete a marketing plan for the other Regional Jobs Initiatives target areas: Airport, 99 Corridor and the Southern Market Area, and return said market plans to Council within 60 days

**Action Taken:**

- E. Request an update and status report relating to the proposed public safety building – Councilmember Westerlund

**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

9:15A.M.

***PUBLIC COMMENT PERIOD – REDEVELOPMENT AGENCY AND CITY COUNCIL - No Council or Agency action except to place on future agenda. Presentation limited to three (3) minutes:***

**A. SCHEDULED COMMUNICATION**

- B. UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

**9:30 A.M.** Report and direction on City of Fresno Sustainable (“Green”) Building Policies – Planning and Development Dept.

**Action Taken:**

**10:00 A.M.** Quarterly report on the progress of the West Fresno Workgroup on implementing the recommendations of the West Fresno Community Vision Plan – Councilmember Sterling

**Action Taken:**

**10:15 A.M. - 10:30 A.M. RECESS**

**10:45 A.M. \* RESOLUTION** – 428<sup>th</sup> amendment to MFS Resolution No. 80-420 to modify the fire inspection fees under the Fire Department Section – Fire Dept.

**Action Taken:**

**11:00 A.M.** Request presentation and information from City Manager on the new performance-based pay for managers as outlined and requested in the staff report – Councilmember Calhoun

**Action Taken:**

**2:00 P.M. #1 CONTESTED CONSENT CALENDAR**

**2:00 P.M.#2 CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Government Code Section 54956.9, subdivision (a)

- Case Name:** City of Fresno v. Cherta Farms, Inc., et al., Fresno Superior Court  
Case No. 02 CE CG 00191

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL- DECIDING WHETHER TO INITIATE LITIGATION**

Government Code Section 54956.9, subdivision (c)

- Case Name:** City of Fresno v. International Union of Operating Engineers, Stationary Engineers (Local 39)

**Action Taken:**

**C. CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6**

**City Negotiator(s):** Jon Ruiz

**Employee Organization(s):**

- International Union of Operating Engineers, Stationary Engineers (Local 39)

**Action Taken:**

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

- Property:** Parcels at 800 “M” Street and 880 “M” Street  
**Negotiating Parties:** Andrew Souza and Daniel Hobbs; Ophelia Family Trust  
**Under Negotiation:** Negotiation of price for acquisition and lease of property

**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

2:00 P.M.#3 **CLOSED SESSION ANNOUNCEMENTS (IF ANY)**

3:00 P.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of January 11, 2005

**Action Taken:**

### **GENERAL CONSENT CALENDAR**

- A. \* Award a contract to Gleim-Crown Pump Inc. of Fresno, for new pumping equipment at Water Well Pump Station #313 – Public Works Dept. **(Agency action)**  
**Action Taken:**
- B. \* Award a contract to Steve Dovali Construction Inc. of Fresno, for water well site improvements at Pump Station #313 – Public Works Dept. **(Agency action)**  
**Action Taken:**

### **GENERAL ADMINISTRATION**

- A. Direct staff to prepare necessary documents to contract with Alliance Resource Consulting to conduct a search for the vacant RDA Executive Director position – RDA committee **(Agency action)**  
**Action Taken:**
- B. Set the salary range for the Executive Director of the RDA – RDA committee **(Agency action)**  
**Action Taken:**

**ADJOURN AGENCY**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

Feb.	8 -		Introduction of tree ordinance
Feb.	8 -	2:30 P.M.	Consider nominations to the Local Register of Historic Resources
Feb.	15 -	10:00 A.M.	<b>HEARING</b> re: CFD No. 2, Annexation No. 86, Final Tract Map No. 5265
Feb.	15 -	10:05 A.M.	<b>HEARING</b> re: CFD No. 2, Annexation No. 87, Final Tract Map No. 5259
Feb.	15 -	10:10 A.M.	<b>HEARING</b> re: CFD No. 2, Annexation No. 89, Final Tract Map No. 4544
Feb.	15 -	10:15 A.M.	<b>HEARING</b> to consider resolution of public use and necessity for the acquisition of permanent easements and rights of way for public street purposes from the following parcels of real property located on E. Shaw Avenue at the intersection of First Street in the City of Fresno:
Feb.	15 -	10:30 A.M.	Empowerment update
Feb.	22 -		<b>NO MEETING – PRESIDENT’S DAY</b>
Mar.	1 -	10:00 A.M.	<b>HEARING</b> re: CFD No. 2, Annexation No. 79, Final Tract Map No. 5321
Mar.	1 -	To be set	<b>WORKSHOP</b> to consider implementation and use of traffic signal fees and implementation of new Community Facilities District (CFD) – Councilmember Dages
Mar.	1 -	4:00 P.M.	Trimester Plans
Mar.	15 -	10:00 A.M.	<b>HEARING</b> to consider the 2005 Weed Abatement Program – Planning & Dev.
Mar.	22 -		<b>NO MEETING – EASTER WEEK</b>
April	19 -	4:30 P.M.	<b>CONTINUE HEARING</b> to consider Fresno City Planning Commission decision regarding Conditional Use Permit (CUP) Application No. C-02-226, and environmental findings, filed by Wilkins Enterprises
April	26 -		<b>NO MEETING – COUNCIL BREAK</b>

**(Future workshops – dates to be determined)**

**(June) WORKSHOP** – Follow-up discussion regarding Caltrans discussion held 12/7/2004  
**WORKSHOP** – Urban Forest